

No. 68-CR-49

D

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-30-68	Clerk					
J.S. 3 mailed 10-31-68	Marshal					
Violation NSPA	Docket fee					
Title 18						
Sec. 2314						

DATE	PROCEEDINGS
4-10-68	Indictment, filed. e
4-10-68	Record vote of Grand Jury, filed. e
4-10-68	Bail set at \$2,500. 00. Warrant Issued. e
8-21-68	Petition for writ of habeas corpus ad prosequendum for Marvin Dee Christmas, filed. b
8-21-68	Order granting writ of habeas corpus ad prosequendum filed. (Allen E. Barrow - Judge) x Writ issued for Marvin Dee Christmas. b b
8-20-68	Petition for Writ of Habeas Corpus Ad Prosequendum filed. h
8-20-68	Order Granting Writ of Habeas Corpus Ad Prosequendum filed. h
9-19-68	Defendant Marvin Dee Christmas present and represented; advised of the charge, arraigned, receives copy of indictment, waives reading and enters a plea of NOT GUILTY. Ordered that the bond of the deft. is fixed in the amt. of \$25,000.00, to be signed by a surety company; and that case is to be set for Jury Trial. Deft. requests that bond be reduced and request is denied. (LB-J)(Larry Marks-CSR)w
9-20-68	It is ordered by the court that this case be set for jury trial on NOctober 14, at 9:30 A.M. (FD-J) ds

DATE	PROCEEDINGS
10-14-68	Defendant not present and represented. Government heretofore filed motion to dismiss for insufficient evidence. Order of Dismissal signed and filed in open court. It is ordered that the indictment against Marvin D��� Christmas is dismissed, and defendant discharged and bond exonerated. (FD-J) (LM-
10-29-68	Return on service of warrant filed. Subject was returned on writ, CSR)h therefore warrant was never executed. h
10-29-68	Return on service of subpoena filed. Executed by serving Morris Rogoway at Portland, Or., on 10-4-68. h(\$3.00)
10-29-68	Return on service of Writ of Habeas Corpus ad Prosequendum filed. Executed 68.h
10-29-68	by transporting defendant from Tulsa, Okla. to USM at Portland, Oregon on 10-16-68. Return on service of Writ of Habeas Corpus ad Prosequendum filed. Returned unexecuted as defendant is not at Oregon State Pen., Salem, Ore., but in custody of authorities, Multnomah County, Portland, Or. New writ issued.h

68 CR 49

A.O. 100
(Rev. 1-59)

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER

(Name of commissioner)

FEDERAL BUILDING, TULSA, Oklahoma.

(Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 338
THE UNITED STATES
vs.

MARVIN DEE CHRISTMAS

Complaint filed on 2-29-68, 19, by Joe M. Pearson
Official title F.B.I. Agent, charging violation of
United States Code, Title 18, Section 2314, on 12-24-67
19, at Tulsa, Okla. in the
division of the Northern district of Oklahoma.
as follows did with unlawful and fraudulent intent,
transported in interstate commerce from Portland,
Oregon, to Tulsa, Okla., stolen goods, wares, and
merchandise, valued in excess of \$5000.00 and he
then knew the said goods, wares and mds. to have
been stolen. (Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Feb. 29, 1968 Warrant/Summons for Marvin Dee Christmas.
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer: (Name of defendant)
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

FILED

APR 19 1968

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Arrested by { on warrant of U. S. District Court
Clerk, U. S. District Court (Name of issuing officer)
without warrant.

Appearances { for United States (Name) (Address)
for accused (Name) (Address)

Proceedings taken
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

4-16-68: Warrant of Arrest returned not executed. Def't. Indicted by

If that is the fact; any adjournments taken, etc.

Grand Jury on 4-10-68. Bench Warrant issued.

Benjamin B. Ballenger
U. S. Commissioner.

Outcome

Bail fixed, 19, Amount, \$, Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19, [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19,

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____
_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____
_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 19th day of April, 19 68

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma April 19, 19 68

Benjamin B. Ballinger
United States Commissioner.